



CRL OP(MD). No.15672 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15672 of 2023

P.Veeradevan

... Petitioner/ Accused Rank not known

Vs

The State, represented by
The Sub-Inspector of Police,
Uthappanayackanoor Police Station,
Madurai District.
(Crime No.124 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.S.VEERANASAMY,
Advocate.

For Respondent : Mr.R.SURESH KUMAR,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C.

PRAYER :- For Anticipatory Bail in Crime No.124 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused who apprehends arrest at the hands of the respondent police for the offences punishable under sections 21(1), 21(5) of MMDR Act 1957 r/w 379 of IPC and 3(3) TNPPDL Act, in Crime No. 124 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Village

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.15672 of 2023

WEB COPY

Administrative Officer working in Thimmanatham Village. On 26.06.2023, at about 01.00 p.m, he informed the respondent police that the sand was illegally taken in Survey Nos.28/5, 28/6 and 28/7B in Thimmanatham Village. Thereafter, the respondent police visited the place and found that in the above said three survey numbers, large scale of sand have been taken illegally. The above said properties belonged to one Malaichamy. On the basis of the complaint given by the complaint given by the defacto complainant, the case was registered against the two persons. During the course of investigation, the petitioner's involvement came to light.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and is no way connected with the alleged occurrence. Further, the anticipatory bail was granted by this Court to the accused Nos.1 and 2.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that there is no previous case pending against the petitioner.

5. Considering the facts and circumstances of this case and also considering that no previous case is pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

(*)6. Accordingly, this Criminal Original Petition is allowed and the petitioner is directed to deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to the credit of Crime No.124 of 2023 on the file of the trial Court concerned, without prejudice to his rights and contentions before the trial Court. Apart from that the competent



CRL OP(MD). No.15672 of 2023

authority is also at liberty to proceed against the petitioner for imposing penalty by following proper procedure.

(*)7. On such deposit being made, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.II, Usilampatti, Madurai District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

(*)8. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
04/09/2023

(*)For Being Mentioned as Per Order of this
Hon'ble Court dt.21/09/2023 in Crl.OP(MD).
15672/2023

/ TRUE COPY /

/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO
1 THE JUDICIAL MAGISTRATE NO.II,
USILAMPATTI, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.



CRL OP(MD). No.15672 of 2023

3 THE SUB-INSPECTOR OF POLICE,
UTHAPPANAYACKANOOR POLICE STATION,
MADURAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.VEERANASAMY, Advocate (SR-13183[I] dated 04/09/2023)

+1 CC to M/s.S.VEERANASAMY, Advocate (SR-14051[I] dated 04/09/2023)

ORDER IN
CRL OP(MD) No.15672 of 2023
Date :04/09/2023

SA/JGB/SAR. /13.10.2023/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.

TM

SA/JGB/SAR. /13.10.2023/4P/7C